

# Statement of Congressman Boucher Legislative Hearing on Pipeline Safety (July 27, 2006)

## STATEMENT OF CONGRESSMAN RICK BOUCHER

Subcommittee on Energy and Air Quality

Legislative Hearing on Pipeline Safety Reauthorization Legislation

July 27, 2006

Thank you, Mr. Chairman. I commend you for convening today's hearing on legislative proposals to reauthorize the Pipeline Safety Improvement Act. The issue is both important and timely. In 2002, this Committee worked in a bi-partisan manner to achieve enactment of a consensus Pipeline Safety law. In April, the Subcommittee conducted a hearing at which we gained valuable advice from interested parties about the effectiveness of the 2002 Act as well as suggestions for improvements that can now be made. Since that time, the Committee has produced a bi-partisan discussion draft which will be our focus this morning.

The 2002 law has been a success. The bi-partisan draft now before us would build on that success.

For example, the draft bill encourages states to develop strong excavation damage prevention programs as a condition of being certified by the Department of Transportation to regulate and enforce within their states pipeline safety standards. The draft specifics that the State programs should include the nine components which are largely recognized as the formula for the most successful prevention programs. The bill further incents the development of a vigorous damage prevention program by creating a new grant program for states which fully develop and implement a damage prevention program including each of the nine elements.

These provisions are designed to encourage widespread implementation of damage prevention programs such as the one in my home state of Virginia. Since implementation of its program, Virginia has seen a dramatic reduction in damage to pipelines caused by excavations and it is appropriate that we encourage other states to adopt similar programs.

In addition, I was pleased that the 2002 Act included a section authorizing technical assistance grants for local communities. However, I have been disappointed that no grants have been awarded through this program. I continue to think that providing assistance to local communities for technical assistance on local pipeline issues is a necessity, and I am pleased that the draft bill includes a provision which would require the Department of Transportation to publish criteria for the grants and to award three demonstration grants. These requirements are in furtherance of the intent of the 2002 Act and will ensure that the technical assistance grant program is in fact utilized.

One item which is not contained within the draft, but which I would like to see included as the bill moves forward is a provision relating to the implementation of an integrity management plan for natural gas distribution lines. During a hearing before this Subcommittee two years ago, a Department of Transportation official testified that the Department

was planning to develop such a plan for distribution lines which account for more than 85 percent of the natural gas pipelines in the nation, but at that time the idea of a comprehensive integrity management plan for these systems was merely a recommendation.

I am pleased that the Office of Pipeline Safety (OPS) is moving ahead with the establishment of an integrity management plan for these critical distribution lines, and that OPS expects to publish a distribution integrity management rule in early 2007. This effort marks the first comprehensive and consensus-based attempt to develop an integrity management plan for gas distribution lines, and I commend this effort. I would like to see a provision included in the bill which simply sets a deadline for the establishment of this rule in order to ensure that the progress that has been made to date continues.

There are many other areas in which I hope to hear more from our witnesses. For example, the recent failure and subsequent crude oil leak from a low-pressure transmission line in Alaska highlights the need for regulation of low-pressure pipelines, and the draft legislation contains a provision which would require that minimum standards be established for regulation of these lines.

The consensus 2002 Act has produced positive results with an increased emphasis on safety and accident prevention both by the agencies of enforcement and by the industry. That seems to speak to a great success in ensuring the integrity and safety of our nation's critical pipeline infrastructure. The discussion draft builds on this success, and I look forward to our continued bi-partisan efforts to enact a consensus measure. Thank you, Mr. Chairman.